

PROB 12C
(6/16)

Report Date: March 2, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Mar 02, 2023

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Andre New Moon Abrahamson Case Number: 0980 2:16CR00172-TOR-1

Address of Offender: [REDACTED] Cusick, Washington 99119

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: May 17, 2017

Original Offense: Crime on Indian Reservation - Assault Resulting in Substantial Bodily Injury, 18 U.S.C. §§ 113(a)(7) and 1153

Original Sentence: Prison - 36 months; Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence: Prison - 14 months
TSR - 22 months
(July 6, 2021)

Asst. U.S. Attorney: Richard Barker Date Supervision Commenced: July 21, 2021

Defense Attorney: Federal Defenders Office Date Supervision Expires: May 20, 2023

PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 8/12/2021, 9/1/2021, 12/14/2021 and 2/21/2023.

On July 27, 2021, a probation officer reviewed a copy of the conditions of supervision with Mr. Abrahamson as outlined in the judgment and sentence. Mr. Abrahamson signed his judgment acknowledging an understanding of those conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition # 4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: It is alleged that Andre Abrahamson violated the terms of his supervised release by consuming a controlled substance, methamphetamine, on or about February 22, 2023.

On February 22, 2023, Mr. Abrahamson reported to the United States Probation Office. He submitted to a urinalysis that tested presumptive positive for methamphetamine. Mr. Abrahamson denied use since February 15, 2023, which is noted in alleged violation number 11 in the petition submitted to the Court on February 21, 2023.

A lab report was received and confirmed a positive presence for methamphetamine. This positive result is not consistent with a last date of use of February 15, 2023.

- 13 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Andre Abrahamson violated the terms of his supervised release by consuming a controlled substance, marijuana, on or about February 22, 2023.

On February 22, 2023, Mr. Abrahamson reported to the United States Probation Office. He submitted to a urinalysis that tested presumptive positive for marijuana. Mr. Abrahamson denied use since February 1, 2023, which is noted in alleged violation number 7, in the petition submitted on February 21, 2023.

On February 16, 2023, Mr. Abrahamson tested negative for marijuana. Therefore, this appears to be additional use.

- 14 **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: It is alleged that Andre Abrahamson violated the terms of his supervised release by failing to conduct a virtual home visit as directed, on or about March 1, 2023.

On February 28, 2023, the undersigned attempted to reach Mr. Abrahamson by phone to schedule a home visit. Mr. Abrahamson responded via text messaging indicating he was with family and would be home that evening. The undersigned responded via text and advised Mr. Abrahamson that a home visit would be completed virtually the next day, March 1, 2023, at 11 a.m.

On March 1, 2023, Mr. Abrahamson did not contact the undersigned at 11 a.m. as instructed. Efforts were made to reach him. He sent a text message at 5:30 p.m. claiming he had just woken up.

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- 15 **Special Condition # 3:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that Andre Abrahamson violated the terms of his supervised release by failing to attend substance abuse treatment on or about March 1, 2023.

Mr. Abrahamson is enrolled in outpatient substance abuse treatment with Camas Path located in Cusick, Washington. He was scheduled to attend an individual counseling session on March 1, 2023, at 11 a.m. That morning, at approximately 10:45 a.m., he sent his treatment provider an email stating he was on his way back to Cusick after visiting his mom in the hospital. His counselor responded to the email and advised him to report to Camas Path as soon as he got back into Cusick.

Mr. Abrahamson failed to report to Camas Path for his treatment requirements on March 1, 2023.

- 16 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Andre Abrahamson violated the terms of his supervised release by failing to appear for a urinalysis, on or about March 1, 2023.

Mr. Abrahamson is enrolled in outpatient substance abuse treatment with Camas Path located in Cusick, Washington, where he is also tested for illicit substances. He is expected to call their drug testing line daily to determine if he is expected to report for drug testing. Camas Path reported that Mr. Abrahamson failed to appear for a random urinalysis on March 1, 2023.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/02/2023

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

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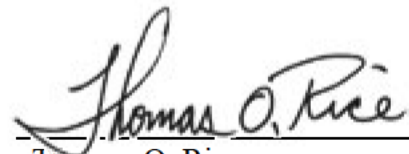
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

March 2, 2023

Date